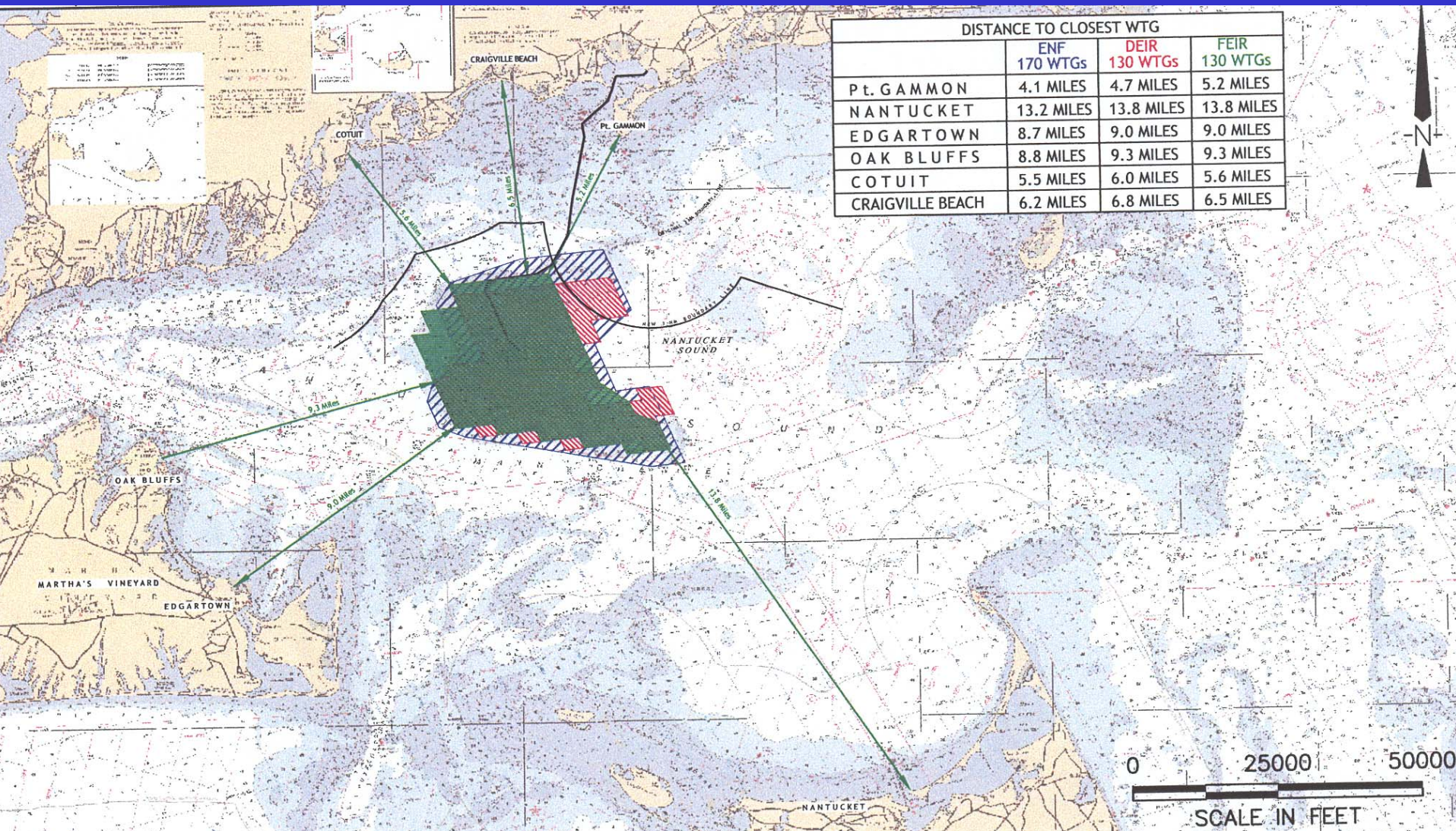


A black and white photograph of two offshore wind turbines in the ocean. The larger turbine is in the foreground, and a smaller one is in the background. The sky is clear and the water is calm.

Cape Wind Energy Project: A Case Study

- State role in the review of the project
- Federal Consistency process
- Framework for CZM review: applying CZM enforceable policies to the project

Site Locus



State Review Process

- Massachusetts Environmental Policy Act (MEPA)
- Energy Facilities Siting Board
- Section 401 Water Quality Certificate
- Tidelands license
- Historical Commission
- MA Wetlands Protection Act
- CZM Federal Consistency

Federal Consistency

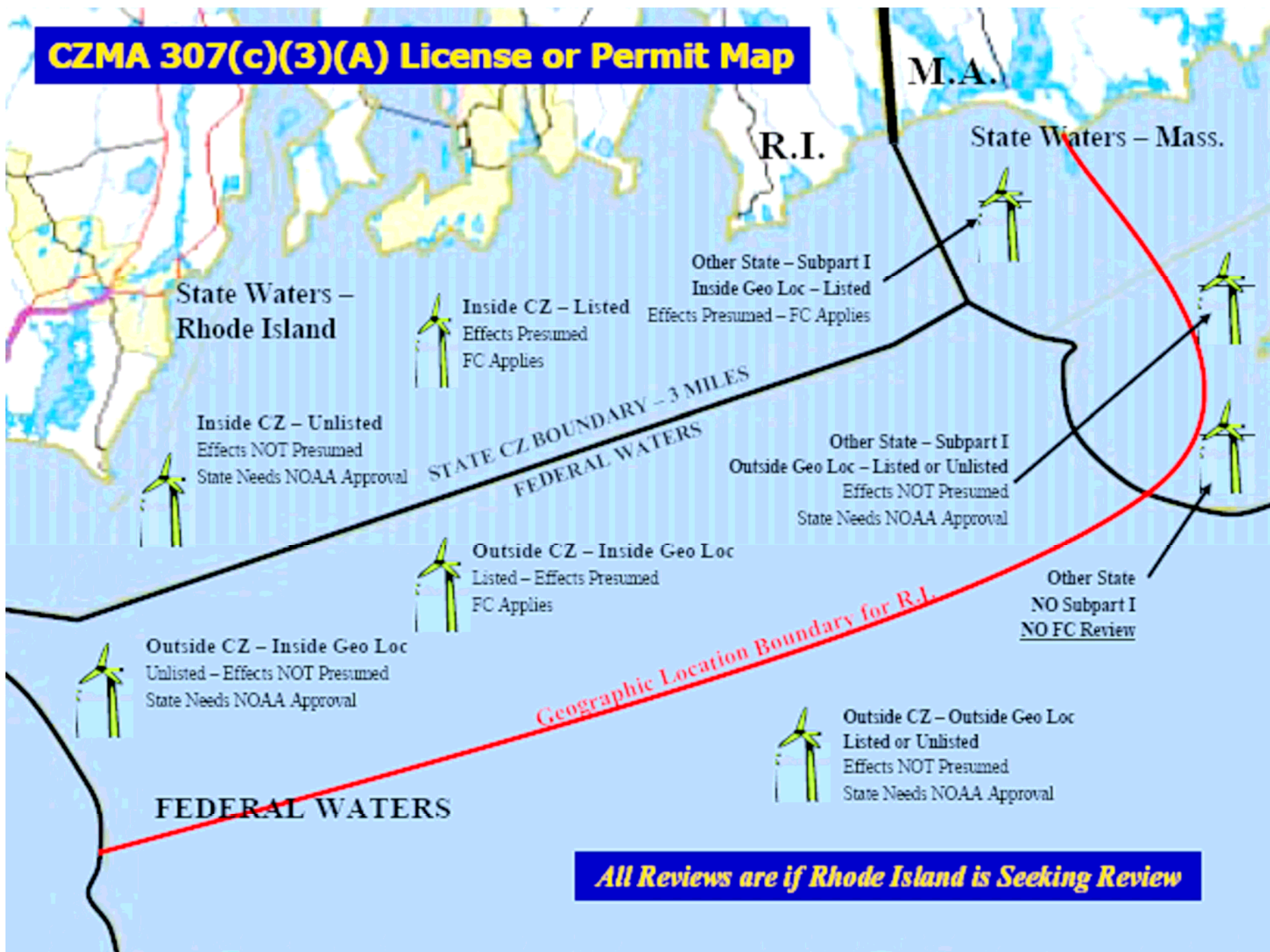
Federal actions that have reasonably foreseeable effects on any land or water use or natural resource of the coastal zone must be consistent with the enforceable policies of a coastal state's federally approved coastal management program

(from OCRM's "Federal Consistency Requirements" September 2004)

Federal Consistency Jurisdiction

- Federal action
- Listed activity
- Located in the coastal zone or geographical area described in management plan
- Other activities/locations with NOAA's approval

CZMA 307(c)(3)(A) License or Permit Map



All Reviews are if Rhode Island is Seeking Review

Federal Consistency Review Process

- Substantial review by CZM occurs during NEPA and state review processes
- Formal review starts upon receipt of complete application (6 Month review period)
- Other state approvals must be issued before consistency concurrence may be issued

Issues Identified in Public Review Process (a partial list)

- Visual Impacts
- Fisheries
- Habitat
- Sand movement
- Conflicting Uses
- “Industrialization” of Nantucket Sound
- Avian impacts
- Navigation impacts
- Economic benefits/detriments
- Effects on tourism
- Oil spills
- Location of state/federal boundary

Project Review

- What are the effects of the project on the uses and resources of the coastal zone?
- Are these effects related to enforceable policies?

MA CZM Enforceable Policies

Water Quality (3)

Habitat (2)

Protected Areas (3)

Coastal Hazards (4)

Port and Harbor Infrastructure (3)

Public Access (1)

Energy (1)

Ocean Resources (3)

- Habitat /Fisheries impacts

- Sediment transport

- Visual impacts

- Alternatives Analysis

Habitat Policy #1

Protect coastal resource areas including salt marshes, shellfish beds, dunes, beaches, barrier beaches, salt ponds, eelgrass beds, and fresh water wetlands for their important role as natural habitats.

Direct Impacts to Seafloor

	State Waters	Federal Waters
WTG & ESP	0	480 acres 3.2 acres permanent
Inner-array cables	0	685 acres
Transmission cables	115 acres	100 acres

Coastal Hazard Policy #2

Ensure construction in water bodies and contiguous lands will minimize interference with water circulation and sediment transport.

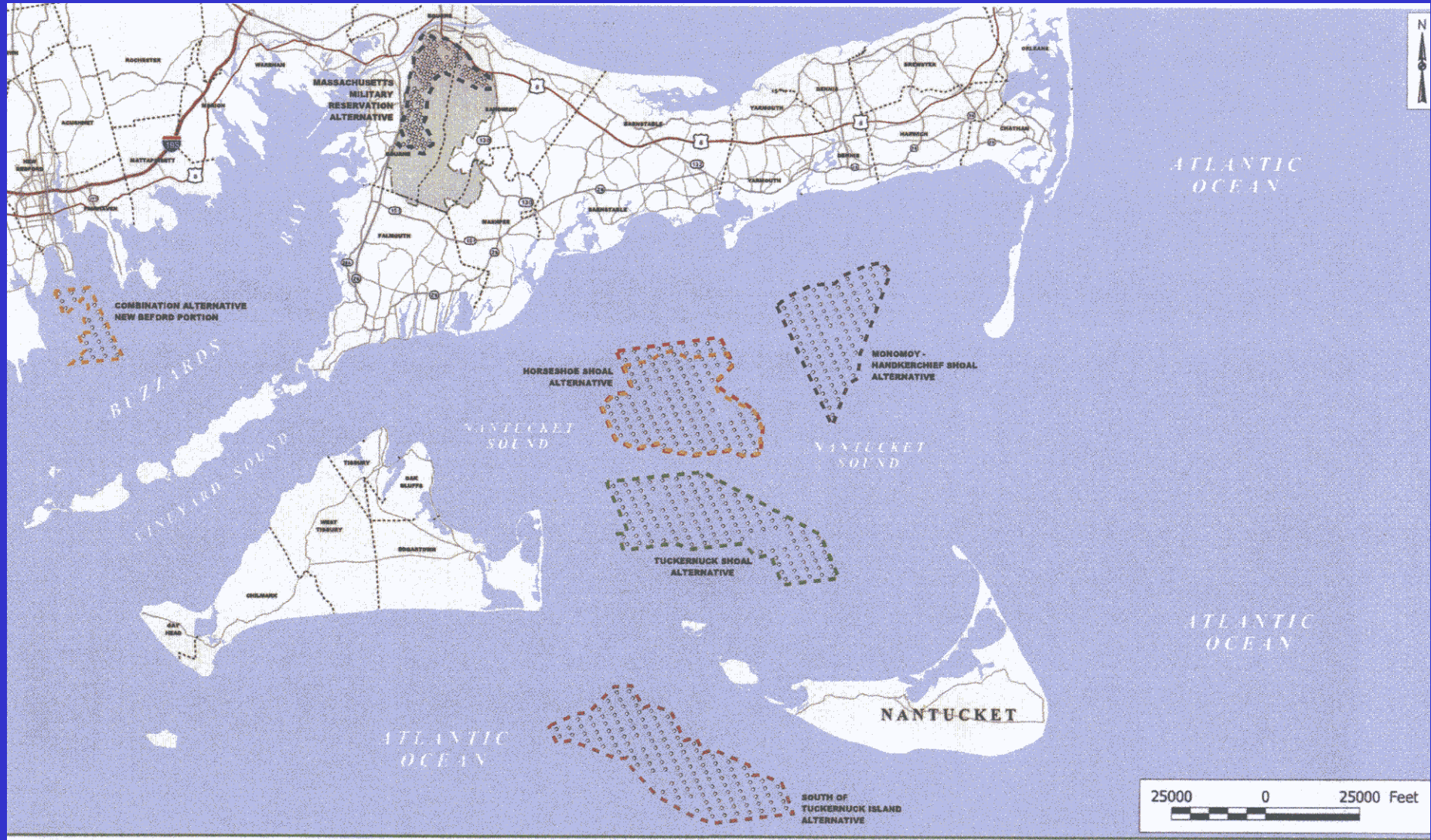
Direct Impacts to Seafloor

	State Waters	Federal Waters
WTG & ESP	0	480 acres 3.2 acres permanent
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Energy Policy #1

For coastally dependent energy facilities, consider siting in alternative coastal locations. For non-coastally dependent energy facilities, consider siting in areas outside of the coastal zone. Weigh the environmental and safety impacts of locating proposed energy facilities in alternative sites.

Analysis of Alternative Sites



Shoeshoe Shoal Alternative - Daytime View



Shoeshoe Shoal Alternative

Partial View from Wianno, Barnstable, Cape Cod